

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL LEONARD FIDLER,

No. C 13-00437 WHA

Plaintiff,

v.

**ORDER RE MOTION TO STAY**

MICHAEL ASTRUE,

Defendant.

Special Assistant United States Attorney Geralyn Gulseth, counsel for defendant, has filed an unopposed motion to stay the current proceedings because “Department of Justice attorneys and employees of the federal Defendant are prohibited from working, even on a voluntary basis” during the current government shutdown. 31 U.S.C. 1342.


As a general matter, no stays will be granted in criminal cases when a government attorney has been furloughed. In civil cases, a stay *may* be granted only in cases when the specific government attorney on the case has been furloughed.

Because Attorney Gulseth has been furloughed due to the failure to adopt a federal budget, all proceedings in the instant action will be stayed effective immediately and said stay will last only so long as Attorney Gulseth remains furloughed. Immediately upon her resuming her duties, then stay will be lifted and all deadlines shall apply subject only to a day-for-day extension to the number of days she was furloughed. Upon resuming her duties, Attorney Gulseth shall advise the Court that the stay has been lifted and provide a calculation of the

1 extended deadlines for defendant's answer to plaintiff's motion for summary judgment and  
2 plaintiff's reply.

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4 **IT IS SO ORDERED.**

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6 Dated: October 3, 2013.

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8 WILLIAM ALSUP  
9 UNITED STATES DISTRICT JUDGE  
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